IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Craig W. Lindsley et al.

Serial No.

10/510,067

Filed: October 4, 2004

For: INHIBITORS OF AKT ACTIVITY

DEC 2 0 2004

Art Unit: To be determined

Examiner:

To be determined

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97

Sir:

- 1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications or other information which are requested to be made of record in this application. This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).
- 2. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.
- 3. Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.
- 4. Pursuant to 37 C.F.R. 1.98 (a)(2)(ii), copies of each cited U.S. patent and each U.S. patent application publication are not enclosed herewith.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

MERCK & CO., INC.

By Lohanie P. Ricardo Date 10-110-04

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INFORMATION DISCLOSURE STATEMENT

5. Pursuant to 37 C.F.R. 1.98(d), copies of references listed on the attached form that were submitted to or cited
by the Office in a related application upon which the instant application relies for an earlier filing date under 35 U.S.C. 120
are not enclosed. Related application(s) in which references were submitted to or cited by the Office are as follows:

	RELATED APPLICATION			
U. S. SERIAL NUMBER	FILING DATE	MERCK CASE		
-				

If this is inconvenient, additional copies will be submitted upon req	uest.	
6. In accordance with 37 C.F.R. 1.97, (check one)		
the attached information is filed within three months of the filing	date of the captioned case.	
the attached information is filed more than three months after t Office Action on the merits.	ne filing date but prior to the m	nailing of a first
the attached information is being filed more than three months Office Action on the merits, but before the mailing date of a Fin authorization is therefore given to charge Deposit Account No.	al Action or Notice of Allowan	ce. The enclosed
the undersigned certifies that each item of information contained cited in any communication from a foreign patent office in a community prior to the filing of this Statement.		
the undersigned certifies that no item of information contained a communication from a foreign patent office in a counterpart for person signing the certification after making reasonable inquiry C.F.R. 1.56(c) more than three months prior to the filing of this	preign application, and, to the , was known to any individual	knowledge of the
	Respectfully submitted,	
	While.	
	By: Matthew A. Leff	
	Attorney For App	licant(s)
	Reg. No. <u>50,149</u> MERCK & CO., INC.	
	Patent Dept., RY60-30	
	P.O. Box 2000	_
	Rahway, N.J. 07065-090 (732)594-1404	(
	Date: <u>December 16, 2004</u>	4

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Substitute for form 1449A/PTO INFORMATION DISCLOSURE				COMPLETE IF KNOWN			
			CLOSURE	Application Number	10/510,067		
_		37 A T I		Filing Date	October 4, 2004		
2	SIAIEMENI B	ATEMENT BY APPLICANT		First Named Inventor	Craig Lindsley		
			,	Group Art Unit	B IIF 2 a a sign		
(use as many sheets as necessary)		Examiner Name	2004				
Sheet	1	of	2	Attorney Docket Number	21078YP		

	U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No.	U.S. Patent Document	Kind Code (if known)	Name of Patentee or Applicant	Date of Publication of Cited Document MM-DD-YYYY		
		6 060 491		Pruitt et al.	05/09/2000		
		2002/0127214		Hemmings	09/12/2002		
		5 972 937		Gaster et al.	10/26/1999		
		5 932 580		Levitzki et al.	08/03/1999		
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	FOREIGN PATENT DOCUMENTS							
Examiner	NIIU I		Name of Patentee or Applicant	Date of Publication of Cited Document				
Initials*	No.	Office	Number	Code (if known)	of Cited Document	MM-DD-YYYY		
		PCT	WO 96/23783		Smithkline Beecham, Plc.	08/08/1996		
		PCT	WO 01/91754		Peptor, Ltd.	12/06/2001		
		PCT	WO 99/42461		Warner-Lamber Company	06/26/1999		
		PCT	WO 97/22360		Medical Research Council	06/26/1997		
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Examiner Signature	Date Considered	

^{*}Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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	NFORMATION I	DIS	CLOSURE	Application Number	10/510,067	
				Filing Date	October 4, 2004	
3	STATEMENT BY APPLICANT			First Named Inventor	Craig Lindsley	
			,	Group Art Unit		
(use as many sheets as necessary)		Examiner Name				
Sheet	2	of	2	Attorney Docket Number	21078YP	

NON PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No.	Include name of the author, title, date, page(s), volume-issue number(s) and place of publication.			
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Examiner	Date
Signature	Considered

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^{*}Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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